

Amendments to House Bill No. 228
3rd Reading Copy

Requested by Senator Larry Jent

For the Senate Judiciary Committee

Prepared by Valencia Lane
March 18, 2009 (2:40pm)

*Replaces
Section 1.
with some
version of
9th Circuit
jury
instruction*

1. Page 1, line 13 through line 25.

Strike: section 1 in its entirety

Insert: "NEW SECTION. Section 1. Assertion of self-defense in criminal trial -- burden of proof. In a criminal trial, when the defendant has offered evidence of having acted in self-defense, the state has the burden of proving beyond a reasonable doubt that the defendant did not act in reasonable self-defense."

2. Page 5, line 23.

Following: "instruction."

Insert: "(1) [Section 1] is intended to be codified as an integral part of Title 46, chapter 16, part 1, and the provisions of Title 46, chapter 16, part 1, apply to [section 1]."

Renumber: subsequent subsections

3. Page 5, line 23.

Following: "[Sections]"

Strike: "1"

Insert: "2"

4. Page 5, line 25.

Following: "[sections]"

Strike: "1"

Insert: "2"

- END -